

STATE OF CONNECTICUT

DEPARTMENT OF VETERANS' AFFAIRS

OFFICE OF THE COMMISSIONER

287 West Street

Rocky Hill, Connecticut 06067

TESTIMONY

Connecticut General Assembly

Select Committee on Veterans' Affairs

by

COMMISSIONER LINDA S. SCHWARTZ, RN. MSN, DRPH, FAAN

Connecticut Department of Veterans' Affairs

February 28, 2012

RB 114 AN ACT CONCERNING PRETRIAL DIVERSIONARY PROGRAMS

Senator Leone, Representative Hennessy, Members and distinguished members of the Select Committee on Veterans' Affairs, I am pleased to offer this written testimony on Raised Bill 114 "AN ACT CONCERNING PRETRIAL DIVERSIONARY PROGRAMS " which would authorize the development of treatment plans, conditions or programs in certain pretrial diversionary programs that are specifically for veterans. The Connecticut Department of Veterans Affairs has worked with members and staff of this Committee and members of the General Assembly to affect the changes in our Judiciary System proposed in this legislation to authorize eligible veterans of military service with treatment and care as alternatives to incarceration.

We first became aware of this problem in November of 2007 when we learned that over 40 veterans of Iraq and Afghanistan had legal problems which had come to the attention of Connecticut's Legal and Court systems. The number seemed to steadily increase over the holidays and into early 2008 and in each successive year. Returning military members have had problems with substance abuse, driving under the influence, excessive speeding and other thrill seeking behaviors, domestic violence, suicidal behavior and aggressive confrontations which often include weapons. As the wars in Iraq and Afghanistan have progressed, there is a growing body of evidence that substantiates the association of these behaviors with conditions experienced and endured by our service personnel serving in combat areas.

America's defense posture has come to rely heavily on the men and women of our Guard and Reserve Forces, true " citizen soldiers" who must make the adjustments of living on the edge of danger and the destruction of war for months on end to coming home and "readjusting" to life in Connecticut. We know that this is both challenging and stressful without the security and structure of life on Department of Defense installations and the vast array of

services and programs enjoyed by previous generations of military members. In today's emphasis on deploying the men and women of our Guard and Reserve, policymakers did not take into account that there would be new needs and expectations that do not quite "fit" into the military model that exists today. We have yet to know the full consequences and long term effects of multiple deployments in relationship to family stability, successful return to the community and future recruitment potential. In essence the war has come to every town and city in America but it is often invisible until a crisis or tragedy surfaces to remind us that the cost of war does not end on the battlefield. Just as our military has changed, we must accept the realities that vast system changes in support of the military and their families are in order.

I am acutely aware of the fact that the veterans returning home now are very different than the veterans of my own Vietnam generation, or my fathers World War II generation. While they are not encumbered with validating the legitimacy of Post Traumatic Stress, they have brought the issue of Traumatic Brain Injury to the forefront and the rapid transition from combat and the military to community and family as a challenge that sometimes overwhelms even the most solid citizen. We hear of veterans who drive at excessive speeds much like they did to stay alive in Iraq. Skills and training that kept them alive in combat areas including the "Adrenalin Rush" which kept them sharp is now recreated through thrill seeking behaviors which are also violations of the law. Symptoms of Traumatic Brain Injuries and the residual deficits can range from profound easily recognized problems to subtle difficulties with perceptions, judgments, memory and concentration. We now know that early interventions, therapeutic treatment and rehabilitation give returning veterans a better chance and a better quality of life as well as the chance to reach their highest level of function and productivity.

In 2012, the concept of "Veteran Courts", special dockets for veterans and alternatives to incarceration are no longer a novel or new ideas. Not only has the Federal VA launched their own "Veterans Justice Outreach" program, Secretary Shinseki has authorized new full time staff for this program to augment already existing positions in each of the VA Medical Centers. This program is a commitment that VA intends to establish points of contact with law enforcement, community services, judges, prosecutors and public defenders with a strategy to intervene on a veteran's behalf in much the same way as the grant DMHAS is presently piloting. At the same time, Secretary Shinseki realizes that an alternative to incarceration is an issue which requires support at the State and local Court system level. VA is also funding programs throughout the Nation to provide training to law enforcement officers about the needs of veterans and resources available for treatment and support provided to veterans by Federal agencies.

For over 15 years, the Connecticut Veterans Home at Rocky Hill has provided a residential substance abuse recovery support program. We are the only State in the Nation to provide this specialty care to veterans at a State Home. Our program provides residential care and support services for up to 2 years and has been selected by some judges as an alternative to incarceration for veterans. We receive a VA per diem payment for each veteran in our Residential Program which offsets the cost of care and professional staff for this program. We work with the Court to assure that veterans referred from the judicial system meet any special requirements such as completion of Driver Training, Community Service or specific mental health referrals. Our staff has had experience with both the parole and probation systems. We believe that this program is a valuable asset and resource which is key in any plans for alternatives to incarceration for veterans in Connecticut.

We have learned a great deal from the mistakes of the past. Vietnam veterans who did not receive the benefit of a program like this have faced decades of struggles and legal problems. Our own Department of Corrections has reported between 600 to 700 inmates are veterans. We now know that early interventions and therapeutic treatment and rehabilitation give returning veterans a better chance and a better quality of life and the chance to reach their highest level of function and productivity. By enacting this legislation, Connecticut will join 22 other states in providing a pragmatic and cost effective program that will offer the men and women who have served this country the opportunity they deserve without compromising the safety of the citizens we serve.

HB 5298 AN Act Establishing a List of Preferred Veterans' Charitable Organizations., the details described in this legislation pose practical problems with regard to available resources and the expertise of present staff to implement the bill seeks to direct the Department of Veterans' Affairs to post informational items for veterans on our webpage and work with Consumer Protection and the Attorney General to publish a list of preferred veterans' charitable organizations. The list shall include nonprofit corporations incorporated pursuant to chapter 602 or any predecessor statutes thereto and charitable organizations, as defined in section 21a-190a. In compiling the list, said commissioners shall consider the following, including, but not limited to: (1) Charity accountability standards; (2) the ratio of charitable activity expenditures to fundraising and administrative expenditures; and (3) violations of chapter 419d and regulations established pursuant to said chapter. The list shall be published on the informational web page established in this section.

While the Department is very aware of the many attempts by individuals and organizations to present themselves as being legitimate charities that help

veterans that there are many organizations which present themselves as being "veteran charities" there are some real concerns that must be considered.

Last year, the concerns of legitimate charities suffering because out of state or bogus charities are preying on the public support of our military and veteran communities here in Connecticut, prompted a meeting with the Attorney General and his staff. At that time, we learned that CT does not have a charitable standard by which organizations can be rated or judged. In our attempts to obtain financial reports and documents, we were further frustrated to learn that many bogus charities do not file tax reports and evade the IRS and State Laws by registering each year under another name maybe slightly changing a word in the organizational title. Also several of the organizations which seemed to be the worst offenders, station themselves in front of Stop and Shop and other stores dressed in garb which suggests they are veterans collecting loose change. I know it is hard to believe but some legitimate veteran organizations have reported collecting as much as \$6,000 a day using this venue and approach. I myself have encountered this scam and when I asked for documents or proof that they did indeed help veterans, I was told much to my surprise that they help the vets at Rocky Hill. When I asked who they dealt with at Rocky Hill, I was told that they only deal with the Commissioner and he would vouch for them. Situations as blatant as this occur all around the State with no paper trail, jilted contributors and legitimate veteran service organizations are left to compete for financial support under these circumstances.

At the suggestion of the Attorney General and in concert with the Commissioner of Consumer Protection, we issued a joint letter to all retailers who might be approached by individuals wanting to solicit donations to "help the vets" and which credentials should be checked before allowing them to set up shop to collect money in the area of their stores. While I am most outraged about the soliciting of funds by bogus organizations and individuals, I have learned that there is little more that can be done because in the AG's opinion, Connecticut does not have standards or laws by which these "charities" can be judged or held accountable by the law.

On another note I will say forthrightly at this time the Connecticut Department of Veteran Affairs does not have the personnel, resources or expertise to fully implement the spirit and intent of this legislation.

***SB 5297 'AN ACT ESTABLISHING A TASK FORCE TO STUDY THE
SUBSTITUTION OF STATE LICENSING REQUIREMENTS WITH MILITARY
OCCUPATIONAL SPECIALTY TRAINING FOR VETERANS.***

The Department supports this legislation because it addresses a very common problem encountered by military members separating from service and /or entering formal studies in the civilian world. We have often seen complete disregard, indifference and/or ignorance by employers about the abilities, experience and educational achievements that are required in today's standards and competency for service in the military. With the drawdown of a million men and women serving today projected over the next few years, we need to be proactive and pragmatic. We need to build on the skills and educational proficiency and practical experience veterans acquire through military education and training. A formal review and consensus of educational, labor, business, military and veteran leaders regarding this issue offers Connecticut and Connecticut veterans the opportunity of acknowledging the practical accomplishments of veterans and their military educational and training accomplishments. Working with state licensing training requirements to capitalize on these achievements will return veterans to the workplace in a timely and effective manner which does not require them to devote valuable time to repeating educational objectives they have already achieved.

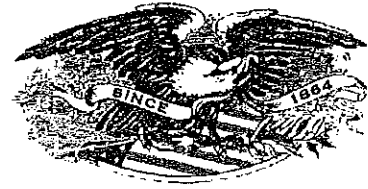
Support for Veteran's Employment and Training Programs. As we prepare for the drawdown of our Armed Forces deployed to Iraq and Afghanistan, which for Connecticut has been estimated to be between 7,500 to 8,000. The very practical situation of the economy and the need for employment becomes a challenge to our planning and to our concern for the men and women returning from war. Unemployment for veterans in Connecticut is estimated to be 24-30%. We know that it takes months for veterans returning to find a job and meaningful employment. We thank the Committee and the Leadership of the General Assembly for the "Jobs Bill" passed last year and the provisions to support veterans who are looking for employment and new careers. Unlike the age of the draft, these veterans chose to serve and with that choice, sacrifices. Putting opportunity and lives in a hold patter while they served our Country, deserves our full support and creativity to assure these veterans are made whole. The Connecticut Department of Veterans Affairs has long been a partner with the Department of Labor and our National Guard in addressing the needs of returning veterans. I want to thank this Committee for its leadership in introducing more legislation that will address this most important issue. We look forward to the proposed legislation and stand ready to assist in the implementation of those enacted into law.



GEORGE JEPSEN
ATTORNEY GENERAL



WILLIAM M. RUBENSTEIN
COMMISSIONER



DR. LINDA S. SCHWARTZ
COMMISSIONER

August 8, 2011

Re: Solicitation of Charitable Funds on Your Premises

Dear Retail Merchant:

A common sight outside many stores lately is one or more representatives collecting for various charitable organizations. We applaud businesses that allow their premises to be used for charitable fundraising purposes. This and other kinds of charitable activities are cornerstones of strong communities. We write today to advise you of a few simple steps you can take to prevent fraudsters and scam artists posing as legitimate charities from taking advantage of you and your customers.

Although many fundraising organizations are properly registered charities with authorization to solicit funds in the State of Connecticut, many, unfortunately, are not. The registration of charities that fundraise helps to promote the public's confidence in making charitable contributions in the first place. However, unregistered charities, particularly those that solicit small cash donations, fly beneath the State's radar and can more easily misuse the charitable funds they collect. There have been a number of complaints in recent years of charities collecting donations at supermarkets and other places and misrepresenting that the collected funds would benefit local veterans' organizations. These scams not only hurt the donating public, but also hinder the efforts of legitimate charities, including those doing invaluable work for our country's military veterans.

We thought it would be helpful to provide you with a quick overview of the registration requirements for the solicitation of charitable funds in Connecticut and the means to confirm the proper registration of those organizations that seek permission to solicit on your premises. Just a little effort will ensure that your customers are being solicited by organizations that have properly registered with the State.

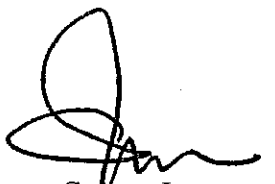
The Connecticut Solicitation of Charitable Funds Act (the "Act") requires that organizations must register with the Department of Consumer Protection ("DCP") prior to soliciting charitable contributions in Connecticut. The Act applies to organizations that solicit funds or anything of value "for any benevolent, educational, philanthropic, humane, scientific, patriotic, social welfare or advocacy, public health, environmental conservation, civic or eleemosynary purpose, or for the benefit of law enforcement officers, firefighters or other persons who protect the public safety." Conn. Gen. Stat. § 21a-190a(1). So, for example, most organizations that solicit for youth drug programs or veterans would be covered.

DCP's Public Charities office is responsible for the regulation of charitable organizations in Connecticut and provides information to the public about charitable organizations. To find out if an organization is registered to solicit charitable funds in Connecticut, you can go to www.ct.gov/dcp. From DCP's home page, click on "Verify a License" to arrive at the State of Connecticut eLicensing Website. Click on "Look up a license" and then in the "License Type" box, scroll down to and select Charities (CHR). Enter the business name or first part of the business name in the "Business Name/DBA" box and click "search". All registered active organizations are listed, including those that have claimed an exemption from having to register. You may also ask the organization for a copy of its DCP registration confirmation.

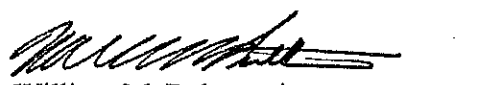
If you find that a charity is not listed on DCP's website, you may contact the Public Charities Unit at DCP at (860)713-6170 or send an email to: ctcharityhelp@ct.gov. Charities must be on file with DCP before they may solicit funds in Connecticut.

Our offices are routinely asked about the merits of individual charities, including the percentage of funds spent on charitable purposes – a potentially important measure of a charity's effectiveness. Unfortunately, we are not authorized by law to rate the effectiveness of charities or limit the amount of funds that may be spent on the administrative costs of fundraising activities. Private organizations, such as CharityNavigator, do compile information on charities' effectiveness and make it readily available on the internet. You may find these kinds of resources helpful in deciding which charities may use your premises for fundraising, but we cannot vouch for the accuracy of such information.

We hope this information has been helpful to you and that you will take a few moments to confirm that anyone soliciting charitable funds on your premises is properly registered. Thank you for your cooperation and for your work in support of charitable causes.



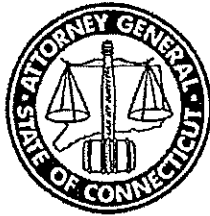
George Jepsen
Attorney General



William M. Rubenstein
Commissioner of Consumer Protection



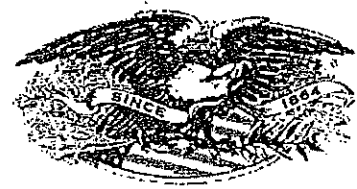
Linda Spoonster Schwartz
Commissioner of Veterans' Affairs



GEORGE JEPSEN
ATTORNEY GENERAL



WILLIAM M. RUBENSTEIN
COMMISSIONER



DR. LINDA S. SCHWARTZ
COMMISSIONER

RETAILERS URGED TO CHECK CHARITY REGISTRATIONS BEFORE PERMITTING SOLICITATIONS OF CUSTOMERS

For immediate release

TUESDAY AUG.9, 2011

Attorney General George Jepsen, Consumer Protection Commissioner William Rubenstein and Veterans Affairs Commissioner, Dr. Linda Schwartz are advising retail stores to check registrations before allowing charitable organizations to solicit money from customers outside their stores.

The advisory was issued because of complaints received in the past few years about charities collecting money to benefit local veterans' organizations that never received the money.

"These scams not only hurt the donating public, but also hinder the efforts of legitimate charities, including those doing invaluable work for our country's military veterans," Commissioner Schwartz said.

Connecticut law requires organizations to register with the state Department of Consumer Protection prior to soliciting charitable contributions in the state.

"Registration helps to promote public confidence that the money being given is going to the purpose intended. Unregistered charities fly beneath the State's radar and can more easily misuse the charitable funds they collect," Attorney General Jepsen said. Ask the organization representative for a copy of the DCP registration, he said.

Commissioner Rubenstein said, "We strongly encourage generosity in assisting charities. However, in order to make donations as effective as possible, donors should learn as much as they can about a charity. The first step is to determine whether the charity is listed with the Department of Consumer Protection at www.ct.gov/dep. If you find a charity is not listed, you may contact the Public Charities Unit at DCP or send an e-mail to ctcharityhelp@ct.gov, to report it."

"Secondly, although we are not authorized by law to rate the effectiveness of charities or limit the amount of funds that may be spent on the administrative costs of fundraising activities, there are several independent organizations, such as charitynavigator.org and guidestar.org, which provide that type of information to donors. These organizations are easily found on the Internet," he said.

Registration information can be found on DCP's website. Click on "verify a license," then "look up license" and at the prompt for "license type," select "charities" and enter all or part of the charity name. Click "search" and all registered active organizations are listed, including those that have claimed an exemption.

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Attorney General Jepsen thanked the Connecticut Food Stores Association and the Connecticut Retail Merchants Association for distributing the advisory letter to their members.

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